

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

EDDIE MARSHALL, et. al.,
Plaintiffs

vs

OHIO DEPARTMENT
OF EDUCATION, et. al.,
Defendants

Case No. C-1-02-189
(Weber, J.)
(Hogan, M.J.)

ORDER

On April 19, 2004, this Court issued an Order granting in part and denying in part Plaintiffs' Motion to Amend Complaint (Doc. 54). Plaintiffs were permitted to file an Amended Complaint which was consistent with the Court's decision therein. (Id.). Moreover, the Court's Order made it clear that Plaintiffs could not rest on the Amended Complaint previously submitted. (*See* Doc. 45, July 23, 2003 Order deeming Amended Complaint to be Motion for Leave to File Amended Complaint). However, the Court neglected to set forth a time frame in which to file said Amended Complaint. As Plaintiffs have had approximately thirty (30) days, the usual amount of time granted in such circumstances, in which to review the Court's Order and file their Amended Complaint, **IT IS THEREFORE ORDERED THAT** Plaintiffs shall file their Amended Complaint WITHIN FIFTEEN (15) DAYS of the date of this Order. Failure to do so shall be deemed a waiver of the previously granted leave to file an amended complaint and the case shall proceed on the pleadings filed thus far.

SO ORDERED.

Date: 5/19/04

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge